

**May 6, 2014**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

***REGULAR MEETING OF THE  
BOARD OF SUPERVISORS***

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
MEETING AGENDA  
**TUESDAY, MAY 06, 2014, 09:00 A.M.**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

Order of Business

REGULAR SESSION – Regular Meeting was called to order at 9:00 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Bill Horn, Vice Chairman; Greg Cox; Ron Roberts; Dave Roberts; also Thomas J. Pastuszka, Clerk.

Invocation was led by Pastor Dan Roshke of Shepherd of the Valley Lutheran Church in La Mesa.

Pledge of Allegiance was led by Juliana and Ava Eaton. Juliana and Ava attend Highlands Elementary School in Spring Valley and have earned citizenship and academic awards.

Public Communication: [No Speakers]

**NOTICE:** THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

**Board of Supervisors' Agenda Items**

<b>Category</b>	<b>Agenda #</b>	<b>Subject</b>
Public Safety	1.	SHERIFF – REQUEST TO AUTHORIZE THE SHERIFF TO ENTER INTO A FREQUENCY RECONFIGURATION AGREEMENT WITH SPRINT FOR THE RECONFIGURATION OF THE 800 MHZ FREQUENCY BAND
	2.	SHERIFF'S DEPARTMENT REQUEST FOR AUTHORIZATION TO PROCURE COMPUTER NETWORK AND TELECOMMUNICATIONS SERVICES USING THE STATE OF CALIFORNIA'S CALNET AGREEMENT [FUNDING SOURCE(S): GENERAL PURPOSE REVENUE]

3. AUTHORITY TO AMEND AND EXTEND PROBATION DEPARTMENT CONTRACT 535623 FOR THE MAINTENANCE AND SUPPORT OF THE PROBATION CASE MANAGEMENT SYSTEM  
[FUNDING SOURCE(S): PUBLIC SAFETY GROUP'S FISCAL YEAR 2013-14 FUND BALANCE AVAILABLE AND GENERAL PURPOSE REVENUE]
4. AN ORDINANCE REPEALING AND REENACTING THE COUNTY FIRE CODE AND AMENDING RELATED REGULATORY CODE SECTIONS
- Health and Human Services 5. LAUNCHING THE ALZHEIMER'S PROJECT
6. REGULATING THE USE OF ELECTRONIC SMOKING DEVICES
7. IMPLEMENTATION OF CALIFORNIA WELFARE AND INSTITUTIONS CODE SECTION 5270.10 ET SEQ. AS AN ADDITIONAL TOOL TO SERVE THE SEVERELY MENTALLY ILL
8. CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENT  
[FUNDING SOURCE(S): STATE HEALTH INSURANCE COUNSELING AND ADVOCACY PROGRAM FUND AND FEDERAL STATE HEALTH INSURANCE ASSISTANCE PROGRAM (SHIP) FUNDS]
- Financial and General Government 9. NEIGHBORHOOD REINVESTMENT PROGRAM (DISTRICT: 1)  
[FUNDING SOURCE(S): GENERAL FUND FUND BALANCE]
10. SET HEARING FOR 6/9/14:  
CHIEF ADMINISTRATIVE OFFICER RECOMMENDED OPERATIONAL PLAN FOR FISCAL YEARS 2014-15 & 2015-16  
[FUNDING SOURCE(S): PROGRAM REVENUES, GENERAL PURPOSE REVENUES AND AVAILABLE FUND BALANCE]

11. SET HEARING FOR 6/9/14:  
CHIEF ADMINISTRATIVE OFFICER RECOMMENDED  
OPERATIONAL PLAN FOR FISCAL YEARS 2014-15 & 2015-  
16 FOR: COUNTY SERVICE AREAS, LIGHTING AND  
MAINTENANCE DISTRICTS, PERMANENT ROAD  
DIVISIONS, AIR POLLUTION CONTROL DISTRICT, SAN  
DIEGO COUNTY SANITATION DISTRICT, FLOOD  
CONTROL DISTRICT AND COUNTY SUCCESSOR  
AGENCY  
[FUNDING SOURCE(S): PROGRAM REVENUES AND  
FUND BALANCES]

(RELATES TO AIR POLLUTION CONTROL DISTRICT  
AGENDA NO. AP1, FLOOD CONTROL DISTRICT AGENDA  
NO. FL1, COUNTY SUCCESSOR AGENCY AGENDA NO.  
SR1, AND SANITATION DISTRICT AGENDA NO. SA1)

12. FISCAL YEAR 2013-14 THIRD QUARTER OPERATIONAL  
PLAN STATUS REPORT AND BUDGET ADJUSTMENTS  
[FUNDING SOURCE(S): GENERAL FUND PRIOR YEAR  
FUND BALANCE, CALIFORNIA EMERGENCY  
MANAGEMENT AGENCY, SAN DIEGO/IMPERIAL  
VALLEY SOUTHWEST BORDER HIGH INTENSITY DRUG  
TRAFFICKING AREAS, FEDERAL BUREAU OF  
INVESTIGATION ORGANIZED CRIME DRUG  
ENFORCEMENT TASK FORCE, CITY OF CHULA VISTA,  
SHERIFF CIVIL AUTOMATION TRUST FUND AND  
PROPOSITION 172 SPECIAL REVENUE FUND]  
(4 VOTES)

13. NOTICED PUBLIC HEARING:  
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA  
MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT  
OF URBAN DISCOVERY ACADEMY IN AN AGGREGATE  
AMOUNT NOT TO EXCEED \$13,000,000

Communications  
Received

14. COMMUNICATIONS RECEIVED

Appointments

15. APPOINTMENTS: VARIOUS

Financial and  
General  
Government

16. SUPPORT OF AB 1511: COMMON SENSE INFORMATION  
SHARING FOR ANIMAL CONTROL OFFICERS

- |                          |     |   |
|--------------------------|-----|---|
|                          | 17. | ALLOCATION AND AMENDMENT OF NEIGHBORHOOD<br>REINVESTMENT FUNDS (DISTRICT: 4)<br>[FUNDING SOURCE(S): GENERAL FUND BALANCE] |
| Closed Session           | 18. | CLOSED SESSION  |
| Presentations/<br>Awards | 19. | PRESENTATIONS/AWARDS  |

1. **SUBJECT: SHERIFF – REQUEST TO AUTHORIZE THE SHERIFF TO ENTER INTO A FREQUENCY RECONFIGURATION AGREEMENT WITH SPRINT FOR THE RECONFIGURATION OF THE 800 MHZ FREQUENCY BAND (DISTRICTS: ALL)**

**OVERVIEW:**

The County of San Diego owns and operates a number of public safety radio communications systems licensed by the Federal Communications Commission (FCC) on frequencies allocated within radio spectrum known as the "800 MHz band." The largest of these systems is the Regional Communications System (RCS), which provides the County and numerous public safety agencies with day-to-day public safety and emergency responder communication support.

As public agencies have experienced radio interference caused by the use of adjacent frequencies by Sprint, the FCC issued regulatory orders to reconfigure the frequency allocations in the 800 MHz band. The reconfiguration to new frequencies includes allocations on which the County of San Diego and Sprint are currently authorized to operate. Per the FCC's orders, Sprint is required to pay for all reconfiguration-related expenses including the services to reconfigure existing equipment and for new radio equipment which will replace equipment that is not capable of operating on the new frequencies.

This is a request for the Sheriff to negotiate and enter into a Frequency Reconfiguration Agreement (FRA) with Sprint for the reconfiguration of the equipment operating on 800 MHz frequencies under FCC licenses held by the County of San Diego and RCS partner agencies. Sprint will reimburse the County for costs incurred in support of the reconfiguration, estimated to be \$850,000. The FRA also involves a transfer of equipment to Sprint in exchange for new equipment.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2014-16 CAO Recommended Operational Plan in the Sheriff's Department. The Sheriff's Department will be reimbursed by Sprint for all authorized costs incurred as a result of the reconfiguration, which is estimated to be \$850,000. The Sheriff's Department will monitor the costs and return to the Board to seek appropriations, as necessary. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SHERIFF**

1. Authorize the Sheriff to enter into negotiations for a Frequency Reconfiguration Agreement with Sprint, and upon successful negotiations, execute the Agreement for the reconfiguration of the County's 800 MHz's channels.

2. Authorize the Sheriff to execute all required documents, including any extensions, amendments or revisions to the Frequency Reconfiguration Agreement with Sprint.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

2. **SUBJECT: SHERIFF'S DEPARTMENT REQUEST FOR AUTHORIZATION TO PROCURE COMPUTER NETWORK AND TELECOMMUNICATIONS SERVICES USING THE STATE OF CALIFORNIA'S CALNET AGREEMENT (DISTRICTS: ALL)**

**OVERVIEW:**

The Sheriff's Department operates a computer network that provides over 4,000 department employees with e-mail, various office applications and access to County's enterprise-wide applications. The network also connects 93 department locations and provides all regional criminal justice agencies with the ability to access and share criminal and other sensitive law enforcement information via SDLaw, the award winning law enforcement-only computer network.

The Director of the Department of Purchasing and Contracting assisted the Sheriff with the procurement of these network services and a limited number of telephone lines for direct connection of 911 calls to the Sheriff's Communications Center. These services are currently provided by AT&T and Verizon under the State of California's CalNet agreement, which was competitively procured and provides extremely competitive pricing available to local governments.

The Sheriff's Information Led Policing philosophy (ILP) has given rise to the need to transport and share an ever increasing amount of information. This coupled with the addition of several new and enlarged facilities, including the Rancho San Diego Station, East Mesa Reentry Facility and San Diego County Women's Detention and Reentry Facility, require additional network bandwidth.

This is a request to authorize the Director of Purchasing and Contracting to procure CalNet services for the estimated value of \$1,450,000 for Fiscal Year (FY) 2013-14, \$1,650,000 for FY 2014-15, and an estimate of up to \$1,800,000 for each subsequent fiscal year through June 30, 2020, which aligns with the expiration of the State's contract.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2013-14 Operational Plan for the Sheriff's Department. If approved, this request will result in estimated current year costs of \$1,450,000 and \$1,650,000 for Fiscal Year 2014-15. The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:****SHERIFF**

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting, subject to negotiation and determination of fair and reasonable price, to renew and procure services through the State's CalNet contract valued at an annual estimate of \$1,450,000 for Fiscal Year (FY) 2013-14, \$1,650,000 for FY 2014-15, up to \$1,800,000 each for FY 2015-16 and FY 2016-17 and three option years through fiscal year ending June 30, 2020, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Sheriff. Waive the advertising requirement of Board Policy A-87.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, and directed the Chief Administrative Officer to return to the Board with a status report and recommendations to determine details for a contract renewal for any additional years.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

3. **SUBJECT: AUTHORITY TO AMEND AND EXTEND PROBATION DEPARTMENT CONTRACT 535623 FOR THE MAINTENANCE AND SUPPORT OF THE PROBATION CASE MANAGEMENT SYSTEM (DISTRICTS: ALL)**

**OVERVIEW:**

On April 15, 2014 (5), the Board of Supervisors continued the item to May 6, 2014 at 9:00 a.m.

On June 20, 2000 (16), the Board of Supervisors (Board) approved procurement of the Probation Case Management System (PCMS) and in June 2003, Clear Wave Software (CWS) was awarded a contract for PCMS development, implementation and system support. Today's action will authorize the Director, Department of Purchasing & Contracting to amend and extend the contract with Clear Wave Software, Inc., extending the contract term to June 30, 2019 and increasing the contract amount by \$7,327,231. This will result in a contract term of October 1, 2010 to June 30, 2019 and a total contract amount of \$12,072,931. This amendment will continue the support and enhancement of PCMS, a criminal



justice information system that contains approximately 285,000 electronic probationer case files. These enhancements will allow the Probation Department to automate current business processes in alignment with emerging technologies within the county.

**FISCAL IMPACT:**

Funds for this request in the amount of \$1,878,400 are included in the Fiscal Year 2013-15 Operational Plan for the Probation Department. If approved, this request will result in total costs and revenue of \$1,878,400. The funding sources are Public Safety Group's Fiscal Year 2013-14 Fund Balance available (\$1,000,000) and General Purpose Revenue (878,400). There will be no change in net General Fund cost and no additional staff years as a result of this request.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, approve and authorize the Director, Department of Purchasing and Contracting to amend and extend contract number 535623 with Clear Wave Software, Inc., extending the contract term to June 30, 2019 and increasing the total contract amount by \$7,327,231 (contract period of October 1, 2010 to June 30, 2019 and total contract amount of \$12,072,931), subject to the availability of funds; and to amend the contract as required to reflect changes to services and funding allocations, subject to the approval of the Chief Probation Officer. Waive the advertising requirement of Board Policy A-87.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**4. SUBJECT: AN ORDINANCE REPEALING AND REENACTING THE COUNTY FIRE CODE AND AMENDING RELATED REGULATORY CODE SECTIONS (DISTRICTS: ALL)**

**OVERVIEW:**

Every three years the State of California repeals, revises and republishes the California Building Standards Code ("CBSC") in its entirety and in doing so adopts and publishes amendments to the included California Fire Code (California Code of Regulations, Title 24, Part 9). California Health and Safety Code sections 17922, 17958, 17958.5 and 17958.7 provide that the County may adopt the California Fire Code by reference as the County's own fire code and make such changes or modifications that the Board of Supervisors expressly finds are reasonably necessary because of local climatic, geological or topographical conditions.

The proposed ordinance adopts the California Fire Code by reference as the County Fire Code and makes additions, modifications and deletions that County staff has determined are necessary because of San Diego County's climatic, geological and topographical conditions. The proposed findings include, but are not limited to vegetation that is highly combustible in its natural state, prevalence of hot and dry conditions at certain times of the year including exposure to Santa Ana winds, history of drought conditions, hilly and mountainous terrain that limit access and egress and increase the speed at which wildfires spread, history of severe wildfires that have caused devastating losses, potentially severe rainstorms with resultant flooding and proximity to earthquake fault zones.

The proposed County Fire Code also contains provisions related to vegetation management, water supply, fireworks, and increased access for fire equipment for new development in rural areas, similar to what the Board of Supervisors approved in the most recent updates to the County Fire Code in 2011. The proposed ordinance also amends related sections of the County Regulatory Code pertaining to fireworks permitting.

**FISCAL IMPACT:**

There is no fiscal impact associated with this request.

**BUSINESS IMPACT STATEMENT:**

The State's adoption of the amended codes is not anticipated to significantly increase construction costs.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.
2. Expressly find as reflected in Attachment A that the County amendments to the California Building Standards Code are reasonably necessary because of local climatic, geological or topographical conditions, pursuant to Health and Safety Code section 17958.7.
3. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance:

AN ORDINANCE REPEALING AND REENACTING THE  
COUNTY FIRE CODE AND AMENDING RELATED  
REGULATORY CODE SECTIONS.

If, on May 6, 2014, the Board of Supervisors takes action as recommended above, then on May 20, 2014:

1. Submit the Ordinance for further Board consideration and adoption (second reading).

2. Direct the Clerk of the Board of Supervisors to provide a certified copy of the adopted ordinance amending the County Fire Code together with the associated findings to the California Building Standards Commission pursuant to Health and Safety Code section 17598.7

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on May 20, 2014.

AYES: Cox, Jacob, D. Roberts, R. Roberts , Horn

**5. SUBJECT: LAUNCHING THE ALZHEIMER'S PROJECT  
(DISTRICTS: ALL)**

**OVERVIEW:**

Alzheimer's disease is reaching epidemic proportions and the fatal illness is taking an escalating toll on San Diego County households and the region's healthcare system. More than 60,000 local residents are living with the disease and that figure is expected to double by 2030 as the elderly population surges. The death rate from Alzheimer's in San Diego County is among the highest in California and it has climbed from the region's fifth leading cause of death to the third. Caregivers are also affected by Alzheimer's disease with 80% of Alzheimer's patients being taken care of at home by over 150,000 family members in the region. The alarming annual nationwide cost of caring for people with Alzheimer's exceeds \$200 billion.

With this action, the County, as the region's chief public health agency, will be spearheading efforts to bring together caregivers and world-class researchers in the region under the umbrella of a new initiative: The Alzheimer's Project.

Today's action launches the Alzheimer's Project to oversee the creation of a regional strategy to inventory and improve caregiver resources and support efforts to find a cure for Alzheimer's disease. The Alzheimer's Association, care leaders and research leaders will return to the Board of Supervisors at a board conference in the fall of 2014.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:****CHAIRWOMAN DIANE JACOB AND SUPERVISOR DAVE ROBERTS**

1. Direct the Chief Administrative Officer (CAO) to seek input from Alzheimer's research leaders from San Diego-area research institutes, academia, the private sector and the Alzheimer's Association to collaborate on ways to enhance the awareness, partnerships and funding for Alzheimer's disease research and to discuss obstacles, progress and areas for legislative action and return to the Board of Supervisors at a board conference this fall with recommendations.
2. Direct the CAO to seek input from Alzheimer's care leaders, which would include the Alzheimer's Association, hospital administrators, experts in dementia care, medical providers, residential care and home care providers and community-based organizations to develop a countywide Alzheimer's Plan to improve the network of services available to those afflicted with Alzheimer's disease and their caregivers and return to the Board of Supervisors at a board conference this fall with recommendations.
3. Direct the CAO to work with the Alzheimer's Association, research leaders and care leaders to develop an Alzheimer's disease education and public awareness campaign focusing on the 10 signs and early diagnosis of Alzheimer's disease, to explore the possibility of presentations at county libraries and other county facilities and to develop a plan for providing Alzheimer's and related dementias training to public safety and social service personnel and return to the Board of Supervisors at a board conference this fall with recommendations.
4. Direct the CAO to draft a letter expressing this Board of Supervisors' support for the Alzheimer's Accountability Act to San Diego County's federal legislative representatives and the President.
5. Direct the CAO to add to the County's Legislative Program support for any legislation that increases funding for Alzheimer's disease research and provides additional resources to caregivers, family members and those afflicted with Alzheimer's disease.
6. Authorize the CAO to apply for any additional funding opportunity announcements, if available, to support a regional strategy to inventory and improve Alzheimer's caregiver resources, and support Alzheimer's disease education and public awareness.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor D. Roberts, the Board took action as recommended.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

6. **SUBJECT: REGULATING THE USE OF ELECTRONIC SMOKING DEVICES (DISTRICTS: ALL)**

**OVERVIEW:**

On March 11, 2014 (7), the Board of Supervisors approved changes to Board Policy A-99, Tobacco and Electronic Smoking Device Use, Prevention and Cessation, including an updated definition of electronic smoking devices. The Board also directed the Chief Administrative Officer to return to the Board with proposed regulatory language for the Board to review for regulatory controls in which County policies for electronic smoking devices follow those of conventional cigarettes.

Electronic smoking devices are electronic and/or battery-operated devices, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances. The use of these devices is increasing, including among youth. The safety of these devices has not been demonstrated. Most of these products contain nicotine, a highly addictive neurotoxin with known negative health effects. The solutions in these devices, as well as the emissions released during use, contain not only nicotine, but several other chemicals with potential impacts on health. While the number and concentration of these chemicals are generally lower than in conventional cigarettes, short term health effects on the users of these devices have been demonstrated. Impacts from the emissions during their use on those exposed only passively to the emissions have also been shown in laboratory settings. The devices are not yet regulated by the U.S. Food and Drug Administration (FDA). Scientific studies have not demonstrated that users of electronic smoking devices have greater success with smoking cessation, and the products are not approved by the FDA for smoking cessation or for the treatment of any health conditions.

Today's recommended actions would begin the process to prohibit the use of electronic smoking devices, where conventional cigarettes cannot be used, in and around County facilities and public buildings; in County parks and trails; and in current smoke-free workplaces and public buildings in unincorporated areas of the county. This action supports *Live Well San Diego*, the County's ten-year initiative to support healthy, safe, and thriving communities. Specifically, these suggested changes will support healthy choices, through implementing policy changes for a healthy environment, as well as change the culture from within for our County workforce and clients in County facilities.

If approved, today's action will begin the process to add language prohibiting certain uses of electronic smoking devices to the County Administrative and Regulatory Codes by introducing two Ordinances for the Board's consideration. The Ordinances are scheduled to return to the Board for second reading and adoption on May 20, 2014 and will become effective thirty days after adoption.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Approve the introduction of the Ordinance (first reading), read title, and waive further reading of the Ordinance:

AN ORDINANCE AMENDING COUNTY OF SAN DIEGO ADMINISTRATIVE CODE ARTICLE III TO REGULATE THE USE OF ELECTRONIC SMOKING DEVICES IN AND AROUND COUNTY FACILITIES, COUNTY PUBLIC BUILDINGS AND OTHER LOCATIONS.

2. Approve the introduction of the Ordinance (first reading), read title, and waive further reading of the Ordinance:

AN ORDINANCE AMENDING TITLES 3, 4 AND 8 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO REGULATE THE USE OF ELECTRONIC SMOKING DEVICES IN COUNTY PARKS, ON COUNTY TRAILS AND IN THE UNINCORPORATED AREA OF THE COUNTY OF SAN DIEGO.

If on May 6, 2014, the Board takes action requested on Recommendations 1 and 2, then on May 20, 2014:

1. Submit the Ordinances for further Board consideration and adoption (Second Reading).
2. Direct the Chief Administrative Officer, upon the effective date of the Ordinances, to update all County Groups' and Departments' existing no smoking policies, manuals, and other applicable documents to prohibit the use of electronic smoking devices in locations where smoking tobacco is prohibited; and to modify signage for County facilities, parks, and trails, as appropriate, to implement this prohibition.

**ACTION:**

ON MOTION of Supervisor D. Roberts, seconded by Supervisor R. Roberts, the Board took action as recommended, introducing the Ordinances for further Board consideration and adoption on May 20, 2014, and directed the Chief Administrative Officer to return to the Board in one year with a status report.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

7. **SUBJECT: IMPLEMENTATION OF CALIFORNIA WELFARE AND INSTITUTIONS CODE SECTION 5270.10 ET SEQ. AS AN ADDITIONAL TOOL TO SERVE THE SEVERELY MENTALLY ILL (DISTRICTS: ALL)**

**OVERVIEW:**

In California, the legal basis for the civil commitment of persons suffering from serious mental illness rests upon the provisions of California Welfare and Institutions (W&I) Code section 5000 et seq., known as the Lanterman Petris Short (LPS) Act. Within W&I Code section 5000, there is a continuum of involuntary psychiatric detentions for individuals who are gravely disabled due to mental illness or alcoholism. San Diego has implemented portions of the continuum, including the 3-day detention, 14-day hold, 180-day hold, and temporary and permanent conservatorship which can last up to one year. For those individuals who remain gravely disabled beyond the initial 14-day hold period of intensive treatment, W&I Code section 5270.10 et seq. (hereinafter section 5270) provides for an additional 30-day period of services. The legislative intent of 5270 is to reduce unnecessary filings for temporary conservatorship.

Adoption of section 5270 is optional for each county and, to date, 17 counties have implemented 5270. At least one other county (Ventura County) is also considering implementation of section 5270 for use in cases where a limited amount of additional time is needed to stabilize an individual in involuntary inpatient care. Los Angeles, Orange and Sacramento, the three largest counties that have implemented section 5270, have reported reductions in conservatorships and related costs, and consider this to be a positive treatment tool that benefits both clients and families.

On March 11, 2014 (28), through a board letter brought forward by Supervisor Dave Roberts, the Board of Supervisors directed the Chief Administrative Officer to review W&I Code section 5270 and return back to the Board within 60 days with an analysis and recommendation regarding implementation.

**FISCAL IMPACT:**

There is no fiscal impact with today's proposed action. Cost impacts are projected to be minimal and will be absorbed in the current budgets of Jewish Family Services (Patient Advocacy), Office of the Primary Public Defender, and County Counsel. The Office of the Public Administrator, Public Guardian and Public Conservator is projecting costs to potentially decrease by approximately \$130,000 to \$220,000, and Superior Court is projecting increased costs of approximately \$151,000. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Accept the attached operational and cost analysis for the proposed implementation of California Welfare and Institutions Code section 5270.10 et seq. within the County of San Diego.
2. Consistent with the requirements of the Lanterman-Petris-Short Act (California Welfare and Institutions Code Section 5000 et seq.), adopt the resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE APPLICATION OF CALIFORNIA WELFARE AND INSTITUTIONS CODE, DIVISION 5, PART 1, SECTIONS 5270.10 – 5270.65 WITHIN THE COUNTY OF SAN DIEGO.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-048, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE APPLICATION OF CALIFORNIA WELFARE AND INSTITUTIONS CODE, DIVISION 5, PART 1, SECTIONS 5270.10 – 5270.65 WITHIN THE COUNTY OF SAN DIEGO.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**8. SUBJECT: CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENT (DISTRICTS: ALL)**

**OVERVIEW:**

The Board of Supervisors has demonstrated a long-term commitment to enhancing programs focused on the health, safety and welfare of seniors and persons with disabilities. The County's Health and Human Services Agency, Aging & Independence Services (AIS) administers these programs. On June 18, 2013 (7), the Board approved Fiscal Year 2013-14 revenue agreements to fund various programs supporting seniors and persons with disabilities. These services allow seniors and those with disabilities to remain safely in their homes and to access needed community resources. This item requests Board authorization to accept \$926,536 of State and federal funds to support the ongoing Health Insurance Counseling and Advocacy Program (HICAP). This item also requests Board approval to adopt a resolution to execute the revenue agreement with the California Department of Aging to provide the HICAP program.

This item supports the County's *Live Well San Diego* initiative by providing services that assist seniors and persons with disabilities in San Diego County.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2013-15 Operational Plan for the Health and Human Services Agency. If approved, this request will result in Fiscal Year 2013-14 costs and revenue of \$188,465 and Fiscal Year 2014-15 costs and revenue of \$738,071. The funding sources are the State Health Insurance



Counseling and Advocacy Program fund and Federal State Health Insurance Assistance Program (SHIP) funds. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the Clerk of the Board to execute, upon receipt, the revenue agreement HI-1415-23 with the California Department of Aging.
2. Authorize the Clerk of the Board, subject to the approval of the Director of the Health and Human Services Agency or designee, to execute subsequent amendments and renewals to the revenue agreement in Recommendation 1 when those documents are received from the funding source.
3. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENT.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-049, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENT.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**9. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM  
(DISTRICT: 1)**

**OVERVIEW:**

The County of San Diego is fortunate to have an opportunity to reinvest taxpayer money into our communities for the benefit of the public. This action will assist the County in meeting the needs of the community.

**FISCAL IMPACT:**

The fiscal impact of these recommendations is **\$320,000**. Funds for this request are included in the Fiscal Year 2013-2014 Operational Plan for the Neighborhood Reinvestment Program (Org 15650). The funding source is General Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**  
**SUPERVISOR GREG COX**

1. Allocate \$30,000 to the Department of Parks and Recreation for improvements to a building owned by the City of Chula Vista in Rohr Park adjacent to Provence House in the Sweetwater Regional Park.
2. Transfer appropriations of \$30,000 from the Neighborhood Reinvestment Program (Org 15650), Services and Supplies to the Department of Parks and Recreation (Org 52800) for payment to the City of Chula Vista in accordance with the Provence House Parking Lease for improvements to a building owned by the City of Chula Vista in Rohr Park adjacent to Provence House in the Sweetwater Regional Park.
3. Allocate \$150,000 to the Department of Parks and Recreation for the design, construction and installation of a patio cover at Provence House in the Sweetwater Regional Park.
4. Transfer appropriations of \$150,000 from the Neighborhood Reinvestment Program (Org 15650), Services and Supplies to the Department of Parks and Recreation (Org 52811) for the installation of a patio cover at Provence House in the Sweetwater Regional Park.
5. Allocate \$10,000 to the Department of Parks and Recreation to design, publish and print bilingual brochures that highlight trails, campgrounds and specific amenities available to the public in each of the County parks located in District One.
6. Transfer appropriations of \$10,000 from the Neighborhood Reinvestment Program (Org 15650) to the Department of Parks and Recreation (Org 52806) to design, publish and print bilingual brochures that highlight trails, campgrounds and specific amenities available to the public in each of the County parks located in District One.
7. Allocate \$100,000 to the Department of Parks and Recreation for an economic analysis and feasibility study that will include an analysis for a potential campground and may address other recreational elements within the Tijuana River Valley.
8. Transfer appropriations of \$100,000 from the Neighborhood Reinvestment Program (Org 15650) to the Department of Parks and Recreation (Org 52821) for an economic analysis and feasibility study that will include an analysis for a potential campground and may include other recreational elements within the Tijuana River Valley.
9. Allocate \$30,000 to the Sweetwater Authority for the design and construction of four temporary bridges to be installed over sensitive habitat along the Sweetwater Reservoir Loop Trail.

10. Authorize the Chief Financial Officer to execute grant agreements with these organizations establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grant but do not increase the grant.
11. Find that the grant awards described above have a public purpose.
12. Find that the allocation to the Department of Parks and Recreation for improvements to the Chula Vista building and the allocation to Sweetwater Authority are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 and that the allocation to the Department of Parks and Recreation for the patio cover is exempt from CEQA pursuant to CEQA Guidelines section 15303.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

10. **SUBJECT: SET HEARING FOR 6/9/14:  
CHIEF ADMINISTRATIVE OFFICER RECOMMENDED  
OPERATIONAL PLAN FOR FISCAL YEARS 2014-15 &  
2015-16 (DISTRICTS: ALL)**

**OVERVIEW:**

This letter presents the Chief Administrative Officer Recommended Operational Plan (Recommended Operational Plan) for Fiscal Years 2014-15 & 2015-16 and directs the scheduling of related public hearings and budget deliberations.

This Recommended Operational Plan presents a proposed County budget of \$5.06 billion and 17,037.00 staff years for Fiscal Year 2014-15. The \$5.06 billion represents a 1.6% increase from the current fiscal year's Adopted Budget of \$4.98 billion. The recommended budget maintains the County's commitment to long-term planning and fiscal stability.

**FISCAL IMPACT:**

The Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2014-15 & 2015-16 totals \$5.06 billion for Fiscal Year 2014-15 and \$4.85 billion for Fiscal Year 2015-16. The funding sources are program revenues, general purpose revenues and available fund balance.

**BUSINESS IMPACT STATEMENT:**

The Recommended Operational Plan includes allocations of funding for the purchase of goods and services from the private sector.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Receive and consider the Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2014-15 & 2015-16.
2. Set June 9, 2014 as the date to begin the legally required public hearings on the Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2014-15 & 2015-16.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor Cox, the Board took action as recommended, setting a Hearing for June 9, 2014.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

11. **SUBJECT: SET HEARING FOR 6/9/14:**  
**CHIEF ADMINISTRATIVE OFFICER RECOMMENDED OPERATIONAL PLAN FOR FISCAL YEARS 2014-15 & 2015-16 FOR: COUNTY SERVICE AREAS, LIGHTING AND MAINTENANCE DISTRICTS (DISTRICTS: ALL), PERMANENT ROAD DIVISIONS (DISTRICTS: ALL), AIR POLLUTION CONTROL DISTRICT (DISTRICTS: ALL), SAN DIEGO COUNTY SANITATION DISTRICT (DISTRICTS: ALL), FLOOD CONTROL DISTRICT (DISTRICTS: ALL) AND COUNTY SUCCESSOR AGENCY (DISTRICTS: ALL)**

**OVERVIEW:**

The Board is requested to receive and consider the Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2014-15 & 2015-16 (Recommended Operational Plan) and direct the scheduling of related public hearings and budget deliberations.

**FISCAL IMPACT:**

The funding sources for the County Service Areas, Lighting and Maintenance Districts, Permanent Road Divisions, San Diego County Sanitation District, Air Pollution Control District, Flood Control District and County Successor Agency are program revenues and fund balances.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Acting as the Board of Supervisors, receive and consider the Fiscal Years 2014-15 & 2015-16 Recommended Operational Plan for the County Service Areas, and Lighting and Maintenance Districts and Permanent Road Divisions.

2. Acting as the Board of Directors for the San Diego County Sanitation District, receive and consider the Fiscal Years 2014-15 & 2015-16 Recommended Operational Plan for the San Diego County Sanitation District.
3. Acting as the San Diego County Air Pollution Control Board of Directors, receive and consider the Fiscal Years 2014-15 & 2015-16 Recommended Operational Plan for the Air Pollution Control District.
4. Acting as the San Diego County Flood Control District Board of Directors, receive and consider the Fiscal Years 2014-15 & 2015-16 Recommended Operational Plan for the County Flood Control District.
5. Acting as the County Successor Agency Board of Directors, receive and consider the Fiscal Years 2014-15 & 2015-16 Recommended Operational Plan for the County Successor Agency.
6. Set June 9, 2014 as the date to begin the legally required public hearings.

(Relates to Air Pollution Control District Agenda No. AP1, Flood Control District Agenda No. FL1, County Successor Agency Agenda No. SR1, and Sanitation District Agenda No. SA1)

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, setting a Hearing for June 9, 2014.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**12. SUBJECT: FISCAL YEAR 2013-14 THIRD QUARTER OPERATIONAL PLAN STATUS REPORT AND BUDGET ADJUSTMENTS (DISTRICTS: ALL)**

**OVERVIEW:**

This report summarizes the status of the County's Fiscal Year 2013-14 Operational Plan, as measured by projected year-end fund balance from current year operations. The projected balance for the General Fund is \$296.4 million, and for all budgetary funds combined is \$331.0 million. In the General Fund, positive balances are projected for all five business groups. The projected fund balance reflects the conservation of management and contingency reserves and projects that General Purpose Revenue will perform better than estimated in the Fiscal Year 2013-14 Adopted Operational Plan. This letter also recommends budget adjustments to make resource reallocations to fund one-time projects, mitigate anticipated revenue shortfalls and make various technical adjustments.

In the Public Safety Group (PSG), recommendations include: appropriations adjustments to mitigate anticipated reductions in Title IV-E Administration funding in Probation; establishing appropriations for overtime and various

services and supplies for conducting narcotic investigations, safety equipment and an all-terrain vehicle for the Narcotics Task Force; a telecommunications software application, and repairs costs for the Regional Communications System Radio Tower; furniture, fixtures and equipment for the East Mesa Re-entry Facility; security system and radio upgrades and maintenance costs for the Pine Valley Substation; and additional construction costs in the Sheriff Lakeside Land Improvement project.

In the Land Use and Environment Group (LUEG), recommendations include: appropriations to fund unanticipated new stormwater permits and construction requirements for the Pine Valley Ballfield Improvement projects, consultant services to develop compliance programs required by the new 2013 State Municipal Stormwater permit requirements and Total Maximum Daily Loads (TMDL) and for Montezuma Valley road repairs.

In the Capital Program, recommendations include adjustments to cancel the remaining appropriations for projects that are anticipated to be completed and capitalized at the end of the fiscal year in the Capital Outlay Fund and the Justice Facility Construction Fund.

**FISCAL IMPACT:**

Funds for a portion of these requests are not included in the Fiscal Year 2013-14 Operational Plan. If approved, this action will result in a net decrease in appropriations of \$349,240 in the General Fund. The funding sources include General Fund prior year fund balance, California Emergency Management Agency, San Diego/Imperial Valley Southwest Border High Intensity Drug Trafficking Areas, Federal Bureau of Investigation Organized Crime Drug Enforcement Task Force, City of Chula Vista, Sheriff Civil Automation Trust Fund and Proposition 172 Special Revenue Fund.

In all other funds combined, these actions will result in a net increase in appropriations of \$930,018. The funding sources are e-commerce sales in the Sheriff's Jail Stores ISF and Operating Transfers from the General Fund.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Accept the Fiscal Year 2013-14 third quarter report on projected year-end results.
2. Cancel appropriations of \$887,352 in Services and Supplies, and related Fiscal Year 2013 Urban Areas Security Initiative grant revenue in the Sheriff's Department due to the reallocation of funds for regional use.

3. Re-establish appropriations of \$200,000 in the Sheriff's Department, Salaries and Benefits (\$160,000) and Services and Supplies (\$40,000), for the California Multi-Jurisdictional Methamphetamine Enforcement Team Program based on unanticipated revenue from the California Emergency Management Agency funded through the Local Revenue Fund 2011, Enhancing Law Enforcement Activities Subaccount. **(4 VOTES)**
4. Establish appropriations of \$58,000 in the Sheriff's Department, Services and Supplies (\$32,705) and Fixed Assets (\$25,295) for the High Intensity Drug Trafficking Areas (HIDTA) program based on unanticipated HIDTA revenue from the San Diego/Imperial Valley Southwest Border HIDTA. **(4 VOTES)**
5. Establish appropriations of \$40,000 in the Sheriff's Department, Services and Supplies, for the Organized Crime Drug Enforcement Task Force (OCDETF), based on unanticipated revenue from the Federal OCDETF passed through the Federal Bureau of Investigation. **(4 VOTES)**
6. Establish appropriations of \$295,729 in the Sheriff's Department, Services and Supplies, for the Regional Communications System (RCS) telecommunications software application based on unanticipated revenue from the City of Chula Vista. **(4 VOTES)**
7. Transfer appropriations of \$100,000 from the Sheriff's Department, Services and Supplies, to the Contributions to Capital Outlay Fund, Operating Transfer Out, to provide funds for Capital Project 1018664, Regional Communications System Radio Tower.
8. Establish appropriations of \$100,000 in the Justice Facility Construction Fund for Capital Project 1018664, Regional Communications System Radio Tower, based on an operating transfer from the General Fund. **(4 VOTES)**
9. Cancel appropriations of \$175,000 in Services and Supplies and related revenue from the Proposition 172 Special Revenue Fund in the Sheriff's Department due to delays in the purchase of a new radio communications tower at Monument Peak.
10. Cancel appropriations of \$175,000, Operating Transfer Out, and related revenue in the Proposition 172 Fund due to a deferred acquisition of a radio communications tower at Monument Peak in the Sheriff's Department.
11. Amend the Fiscal Year 2013-14 Department of General Services Fleet Internal Service Fund (ISF) Spending Plan by cancelling appropriations of \$300,690 and related revenue due to decreased vehicle acquisition needs in the Sheriff's Department.
12. Transfer appropriations of \$300,690 from the General Fund Contributions to Fleet ISF, Operating Transfer Out, to the Sheriff's Department, Fixed Assets, due to a decrease in projected vehicle needs.

13. Transfer appropriations of \$782,269 from the Sheriff's Department, Services and Supplies, to the Contributions to Capital Outlay Fund, Operating Transfer Out, to provide funds for Capital Project 1016416, East Mesa Detention Re-Entry and Rehabilitation Facility.
14. Establish appropriations of \$782,269 in the Justice Facility Construction Fund for Capital Project 1016416, East Mesa Detention Re-Entry and Rehabilitation Facility based on an Operating Transfer from the General Fund. **(4 VOTES)**
15. Transfer appropriations of \$200,000 from the Sheriff's Department, Services and Supplies, to the Contributions to Capital Outlay Fund, Operating Transfer Out, to provide funds for Capital Project 1015198, Pine Valley Sub-station Buckman Springs Area.
16. Establish appropriations of \$200,000 in the Justice Facility Construction Fund for Capital Project 1015198, Pine Valley Sub-station Buckman Springs Area based on an Operating Transfer from the General Fund. **(4 VOTES)**
17. Transfer appropriations of \$145,000 from the Sheriff's Department, Services and Supplies, to the Contributions to Capital Outlay Fund, Operating Transfer Out, to provide funds for Capital Project 1018774, Sheriff Lakeside Land Improvement.
18. Establish appropriations of \$145,000 in the Justice Facility Construction Fund for Capital Project 1018774, Sheriff Lakeside Land Improvement based on an Operating Transfer from the General Fund. **(4 VOTES)**
19. Establish appropriations of \$15,510 in the Sheriff's Department, Services and Supplies, for ballistic shields for the Court Services Field Unit based on unanticipated revenue from the Sheriff's Civil Automation Trust Fund. **(4 VOTES)**
20. Amend the Fiscal Year 2013-14 Sheriff's Jail Stores Internal Service Fund Spending Plan by \$365,000, Services and Supplies, to provide funds for additional operational costs related to the new e-commerce site based on unanticipated revenue from e-commerce sales. **(4 VOTES)**
21. Cancel appropriations of \$2,000,000 in Salaries and Benefit and related Title IV-E revenue in the Probation Department due to the projected reduction in Title IV-E funds.
22. Transfer appropriations of \$2,000,000 within the Proposition 172 Special Revenue Fund, from Miscellaneous Expense to Operating Transfer Out, for transfer to the Probation Department to partially offset the projected reduction in Title IV-E funds.



23. Establish appropriations of \$2,000,000 in the Probation Department, Salaries and Benefits to mitigate the projected reduction in Title IV-E funds based on an Operating Transfer from the Proposition 172 Special Revenue Fund. **(4 VOTES)**
24. Cancel appropriations of \$307,071 in the Office of Emergency Services, Services and Supplies, and related revenue due to a technical adjustment associated with the Unified Disaster Council.
25. Cancel appropriations of \$32,446.96 and related Operating Transfer from the General Fund in the Capital Outlay Fund for Capital Project 1015172, Jess Martin Park Improvements, to provide funding for new stormwater permit and construction requirements for Pine Valley Ballfield Improvements.
26. Establish appropriations of \$32,446.96 in the Capital Outlay Fund for Capital Project 1006608, Pine Valley Ballfield Improvements, to fund new stormwater permit and construction requirements, based on an Operating Transfer from the General Fund. **(4 VOTES)**
27. Establish appropriations of \$410,944 in the Department of Public Works General Fund, Services and Supplies, for consultant services to develop compliance programs to reduce discharges from construction and new development as required by the new 2013 State Municipal Stormwater Permit requirements and Total Maximum Daily Loads (TMDL) for bacteria in county watersheds based on available prior year General Fund fund balance. **(4 VOTES)**
28. Transfer appropriations of \$410,694 from the Department of Public Works General Fund, from Services and Supplies to Operating Transfer Out for Montezuma Valley Road repairs.
29. Establish appropriations of \$410,694 in the Department of Public Works Road Fund, Services and Supplies, for Montezuma Valley Road repairs based on Operating Transfer from the General Fund. **(4 VOTES)**
30. Amend the Fiscal Year 2013-14 Major Maintenance Internal Service Fund Spending Plan by cancelling revenue of \$294,920 to correct budgeted revenue proposed to offset prior year encumbrances. **(4 VOTES)**
31. Cancel appropriations and related revenue of up to \$314,820 in the Capital Outlay Fund for projects completed during Fiscal Year 2013-14.
32. Cancel appropriations and related revenue of up to \$19,962 in the Justice Facility Construction Fund for projects completed during Fiscal Year 2013-14.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

13.

**SUBJECT: NOTICED PUBLIC HEARING:**

**ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF URBAN DISCOVERY ACADEMY IN AN AGGREGATE AMOUNT NOT TO EXCEED \$13,000,000 (DISTRICT: 4)**

**OVERVIEW:**

The County has received a request from the California Municipal Finance Authority ("CMFA" or "Authority") to conduct a public hearing as required by the Internal Revenue code and to approve the Authority's issuance of revenue bonds, pursuant to a plan of finance, in an aggregate principal amount not to exceed \$13,000,000 ("Bonds"), for the benefit of Urban Discovery Academy ("UDA"), a nonprofit public benefit corporation and 501(c)(3) organization duly organized and existing under the laws of the State of California, and Fourteenth Street Holdings LLC ("FSH"), a limited liability company duly organized and existing under the laws of the State of California which is a disregarded entity for federal income tax purposes, of which UDA is the sole member (collectively, "Borrower"). The Borrower has applied for the financial assistance of the Authority in the financing of the construction, renovation, equipping and furnishing of certain property and facilities to be used as a charter school and certain other matters relating thereto (collectively, "Project") located within the County of San Diego, California.

The Authority is authorized to assist in financing for nonprofit public benefit organizations wishing to issue revenue obligations, including the Borrower. In order to initiate such a financing, a member jurisdiction in which the Project resides, i.e., the County of San Diego, must: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve the Authority's issuance of the Bonds. Although the Authority will be the issuer of the Bonds for the Borrower, the financing cannot proceed without the approval of the County of San Diego. Today's recommendations will provide the Authority with the required authorization to pursue its determination to issue the Bonds on behalf of the Borrower for the Project.

**FISCAL IMPACT:**

If approved, the proposal will result in \$1,000 of unanticipated revenue to be used to reimburse the County for costs associated with this non-County financing.

The Borrower will be responsible for the payment of all present and future costs in connection with issuance of the Financing. The County will incur no obligation of indebtedness as a result of these actions.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.

2. Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF CHARTER SCHOOL REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF URBAN DISCOVERY ACADEMY, IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$13,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, RENOVATION, EQUIPPING AND FURNISHING OF CERTAIN PROPERTY AND FACILITIES TO BE USED AS A CHARTER SCHOOL AND CERTAIN OTHER MATTERS RELATING THERETO.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 14-050, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF CHARTER SCHOOL REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF URBAN DISCOVERY ACADEMY, IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$13,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, RENOVATION, EQUIPPING AND FURNISHING OF CERTAIN PROPERTY AND FACILITIES TO BE USED AS A CHARTER SCHOOL AND CERTAIN OTHER MATTERS RELATING THERETO.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**14. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)**

**OVERVIEW:**

Board Policy A-72, Board of Supervisors Agenda and Related Process, authorizes the Clerk of the Board to prepare a Communications Received for Board of Supervisors' Official Records. Routine informational reports, which need to be brought to the attention of the Board of Supervisors yet not requiring action, are listed on this document. Communications Received documents are on file in the Office of the Clerk of the Board.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Note and file.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**15. SUBJECT: APPOINTMENTS: VARIOUS (DISTRICTS: ALL)**

**OVERVIEW:**

These appointments are in accordance with applicable Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees."

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR DAVE ROBERTS**

Appoint Kent C. Smith to the MENTAL HEALTH BOARD, Seat No. 7, for a term to expire December 31, 2015.

**CHIEF ADMINISTRATIVE OFFICER**

Appoint Daryn Drum to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 21, for a term to expire May 6, 2017.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

16. **SUBJECT: SUPPORT OF AB 1511: COMMON SENSE INFORMATION SHARING FOR ANIMAL CONTROL OFFICERS (DISTRICTS: ALL)**

**OVERVIEW:**

Under current law, County Animal Control Officers may seek to remove a dangerous dog or neglected pets from private property without knowing the criminal history of the pet owner. The Officer may not know whether the owner has been cited for weapons violations, or has ever assaulted a peace officer.

State Assembly Bill 1511 (AB 1511), authored by Assemblymember Beth Gaines, seeks to allow the Department of Justice (DOJ) and local criminal justice agencies to provide state and local criminal history information to Control Officers from the County's Department of Animal Services upon demonstration of compelling need. The State's "Summary Criminal History Information" is the master record of information compiled by the DOJ pertaining to the identification and criminal history of an individual, colloquially known as a "rap sheet."

If passed, AB 1511 will provide much-needed information to our Animal Control Officers. The bill puts in place a mechanism to alert Officers of possible dangerous situations. This in turn, helps the Officer and/or department to determine when it is essential for an armed peace officer to accompany Animal Control Officers in the field during investigations.

The bill would allow Animal Control Officers to access criminal data history to be able to research the background of possible suspects and increase their awareness and preparedness in the field. This information-sharing enhances the safety of our Officers and is a common sense approach to enhancing public protection.

We urge support of AB 1511.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR GREG COX AND SUPERVISOR DAVE ROBERTS**

Direct the Chief Administrative Officer to draft a letter communicating the Board of Supervisors' support for Assembly Bill 1511 to San Diego County's legislative delegation in Sacramento and to the appropriate members of the State Legislature and Administration.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**17. SUBJECT: ALLOCATION AND AMENDMENT OF NEIGHBORHOOD REINVESTMENT FUNDS (DISTRICT: 4)**

**OVERVIEW:**

The County's fiscal condition has enabled it to reinvest taxpayer money in our communities for the benefit of the public. These recommended actions propose allocations to new projects from the County of San Diego's Neighborhood reinvestment project funds.

**FISCAL IMPACT:**

The fiscal impact of these recommendations is \$179,828.00. Funds for this request are included in the Fiscal Year 2013-14 Operational Plan for the Neighborhood Reinvestment Program (Org 15665). The funding source is General Fund balance. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR RON ROBERTS**

1. Allocate \$20,000.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to Home Start Inc. to help fund the renovation of two apartment units for the Maternity Shelter Program located at 4611 Adams Ave. Funds will be used for materials and installation of kitchen appliances and fixtures, cabinets, countertops, flooring and lighting.
2. Allocate \$25,000.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to the Japanese Friendship Garden in Balboa Park to purchase materials necessary for the construction of a maple bridge in the garden's canyon.
3. Allocate \$20,000.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to the LGBT Center to renovate and replace the flooring and air conditioning at the organization's Sunburst Youth Housing facility 1640 Broadway Street.
4. Allocate \$20,000.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to Mainly Mozart to purchase signs, brochures, concert programs and flyers for its programming, computers, monitors and camera/video, music and storage units for the organization's office at 444 West Beech Street.
5. Allocate \$10,110.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to North Park Main Street for the purchase of laptop computers, tablets, a wireless router, software, hardware, projector and projector screen for organization's office at 3076 University Avenue.

6. Allocate \$20,000.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to the Ronald McDonald House Charities to assist in the purchase of a minivan to transport families staying at the Ronald McDonald House in San Diego.
7. Allocate \$25,000.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to the Chinese Historical Museum to assist in the installation, appropriate permitting and lighting of two granite statues adjacent to the entrance of the Museum at J Street and Third Avenue.
8. Allocate \$20,000.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to the USD Hahn School of Nursing to assist in the cost of purchasing a transformer for the Betty and Bob Beyster Institute.
9. Allocate \$19,718.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to the Department of Parks and Recreation (Org 52806) to purchase generators, equipment and various supplies for County parks.
10. Transfer appropriations of \$19,718.00 from the Neighborhood Reinvestment Program Budget (Org 15665) to the Department of Parks and Recreation (Org 52806) to purchase generators, equipment and various supplies.
11. Find that all grant awards described above have a public purpose.
12. Authorize the Chief Financial Officer to take all actions necessary to execute grant agreements with these organizations establishing terms for receipt of the funds described above, and to make minor amendments to the agreements that are consistent with the general purpose of the grant, but not to increase the amount of the grant.
13. Find that the allocations to the LGBT Center and Chinese Historical Museum are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**18. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)**

**OVERVIEW:**

**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Section 54956.9)

Oak Tree Ranch, Inc. v. County of San Diego; San Diego County Superior Court No. 37-2014-00003016-CU-EI-CTL

**ACTION:**

County Counsel reported that there were no reportable matters.

**19. SUBJECT: PRESENTATIONS/AWARDS (DISTRICTS: ALL)**

**OVERVIEW:**

Chairwoman Dianne Jacob presented a proclamation declaring May 6, 2014, San Diego Child Care and Development Planning Council Day throughout the County of San Diego.

Vice-Chairman Bill Horn presented a proclamation declaring May 6, 2014 – May 12, 2014, National Nurses Week throughout the County of San Diego.

Supervisor Dave Roberts presented a proclamation declaring May 11, 2014 - May 16, 2014, National Women's Lung Health Week throughout the County of San Diego.

Supervisor Dave Roberts and Supervisor Ron Roberts presented a proclamation declaring May 2014, Asian Pacific American Heritage Month throughout the County of San Diego.

Supervisor Ron Roberts presented a proclamation declaring May 3, 2014 – May 11, 2014, National Travel and Tourism Week throughout the County of San Diego.

Supervisor Greg Cox presented a proclamation declaring May 2014, Bike Month throughout the County of San Diego.



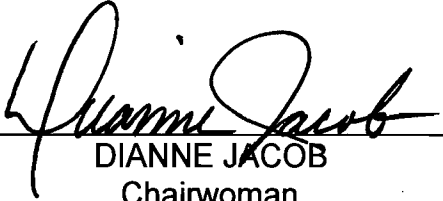
There being no further business, the Board adjourned at 11:50 a.m.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors  
County of San Diego, State of California


Consent: Gomez  
Discussion: Panfil

NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Tuesday, May 20, 2014.

  
\_\_\_\_\_  
DIANNE JACOB  
Chairwoman

Attest:

  
\_\_\_\_\_  
THOMAS J. PASTUSZKA  
Clerk of the Board

05/06/14